IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No.5894 of 2004
Date of Decision: 11.08.2006

MUKHTIAR SINGH

.....PETITIONER

VERSUS

GRAM PANCHAYAT VILLAGE KALALWALA DISTRICT BATHINDA.

.....RESPONDENT

CORAM: HON'BLE MR. JUSTIC AJAY KUMAR MITTAL

Present: **Mr. G.S.Bawa, Advocate,**
for the petitioner.
Mr.P.S.Dhaliwal, Advocate,
for the respondent.

AJAY KUMAR MITTAL,J.(ORAL)

In this revision petition filed under Article 227 of the Constitution of India, the petitioner has challenged order dated 13.10.2004 passed by the Additional District Judge, Bathinda, whereby the order dated 29.05.2004 passed by the trial court granting interim injunction has been set aside.

The plaintiff-petitioner filed a suit for permanent injunction restraining the defendants from forcibly dispossessing him from the suit. An application for interim injunction was also filed. The trial Court on the basis that plaintiff was in possession of the suit property restrained the defendants from dispossessing the plaintiff from the suit land. On appeal, the appellate Court reversed the said order and vacated the interim injunction.

Learned counsel for the respondent has produced a photo copy of the order passed by the Collector-cum-S.D.M, Talwandi Saboo, dated 09.05.2006 which has been passed on an application filed under Section 7 of the Punjab Village Common Lands (Regulations) Act, 1961 by the respondent Gram Panchayat against the petitioner, wherein the possession of the petitioner has been

found to be illegal on the Gram Panchayat land and it has been ordered that he is required to be dispossessed. However, it has been stated that in view of the interim order passed by this Court the possession cannot be delivered to the Gram Panchayat. A photo copy of the said order along with its true translation has been placed on the record by counsel for the respondent.

In view of the above, I do not find any ground to interfere in the order dated 13.10.2004 passed by the Addl. District Judge, Bathinda in exercise of revisional jurisdiction under Article 227 of the Constitution of India.

Consequently finding no merit in this revision petition, the same is dismissed.

August 11, 2006 **(AJAY KUMAR MITTAL)**
nt **JUDGE**